

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, NOVEMBER 30, 2006
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:33 a.m.

AGENDA ITEM

**1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY,
NOVEMBER 14, 2006**

MOTION: Stevens moved and Hudkins seconded approval of the Staff Meeting minutes dated November 21, 2006. Hudkins, Stevens, Workman and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

A. Appointment of Dee Aguilar to the Lincoln Area Agency on Aging Advisory Council (Exhibit A)

MOTION: Stevens moved and Hudkins seconded approval of the addition to the agenda. Workman, Hudkins, Stevens and Schorr voted aye. Motion carried.

**3 A) DENTON ROAD DETOUR; B) YANKEE HILL ROAD; AND C) ONE
AND SIX YEAR ROAD AND BRIDGE IMPROVEMENT PROGRAM -
Don Thomas, County Engineer; Karl Fredrickson, City Public
Works/Utilities Director; Monty Fredrickson, Deputy Director of the
Nebraska Department of Roads**

A) Denton Road Detour

Karl Fredrickson, City Public Works/Utilities Director, said the City of Lincoln has issued Highway Allocation Bonds and will fund the ½ mile of the new Denton Road.

B) Yankee Hill Road

Don Thomas, County Engineer, said existing water and transmission lines dictate that Yankee Hill Road (from South 40th Street to South 56th Street) be centered on the section line. The road must also be on section line on both ends (one intersection is built). He said the benefits of a Rural to Urban Transportation System Program (RUTS) type road are negated and said it will be difficult to determine exactly what type of road is needed until there is an annexation agreement in place. Thomas said safety is a primary consideration at this point and recommended that the County proceed with rural paving (asphalt) on the county section line.

Stevens asked whether the road will have shoulders.

Thomas said no, it will be 28' wide pavement.

Hudkins asked whether there would be merit in increasing the width to 32'.

Thomas said that would be a good way to go, but it will increase costs by approximately \$30,000.

Stevens asked whether the City would be interested in doing something other than what Thomas has proposed.

Thomas said he offered to give the City what the County would invest in asphalt paving so the City could pick what they thought was the best thing to do. The City declined the offer, due to budgetary restrictions.

C) One and Six Year Road and Bridge Improvement Program

Thomas presented a summary of testimony at the public hearing on the One and Six Year Road and Bridge Improvement Program and his recommendations for requests received on the following (see agenda packet):

- 1) Yankee Hill Road (South 40th Street to South 56th Street)

Thomas revised his recommendation, due to new traffic counts. He now recommends that the road be put on standby.

- 2) Hickman Area Roads
- 3) Bluff Road (North of the Malcolm School)

MOTION: Hudkins moved to lengthen paving from ¼ mile to ½ mile on Bluff Road.

The motion died for the lack of a second.

MOTION: Hudkins moved and Workman seconded to direct Don Thomas, County Engineer, to lengthen paving from the 1,100 feet that was budgeted to ¼ mile on Bluff Road. Workman, Hudkins and Schorr voted aye. Stevens voted no. Motion carried.

- 4) Rokeby Road (South 56th Street to South 70th Street)
- 5) North 141st Street (Raymond Road to Davey Road)
- 6) Agnew Road (Highway 79 west to Northwest 140th Street)
- 7) Mill Road (Northwest 70th Street to Northwest 84th Street)
- 8) Bennet Road (South 82nd Street to South 96th Street)
- 9) East Fletcher Avenue (North 84th Street to North 148th Street)

Workman asked whether there was an agreement to pave Waverly Road from 141st to 148th Streets.

Thomas said Waverly Mayor Ron Melbye has indicated that there was an agreement that was tied to economic development. He said he has an interlocal agreement with the City of Waverly for the paving, with Waverly paying half the costs (approximately \$70,000 each). Thomas said he does not consider the paving a high priority.

NOTE: Thomas will discuss paving priorities at the December 14th Staff Meeting.

The Chair gave Thomas a copy of a letter the Board received related to paving of North 162nd Street (Exhibit B).

4) DIRECTOR EVALUATIONS

MOTION: Workman moved and Hudkins seconded to enter Executive Session at 9:22 a.m. for the purpose of director evaluations. Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

The following directors received performance reviews: Larry Van Hunnik, Lancaster Manor Administrator; Michelle Schindler, Youth Services Center Director; Kim Etherton, Community Corrections Director; and Don Killeen, County Property Manager.

MOTION: Stevens moved and Hudkins seconded to exit Executive Session at 10:59 a.m. Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

ADMINISTRATIVE OFFICER REPORT

A. Claims for Review:

- 1) PV 97043, \$346.85 for Travel Expenditures (County Attorney's Office)

Doug Cyr, Chief Administrative Deputy County Attorney, appeared and said the claim amount has been reduced from \$168.68 to \$156.38. He noted that County Resolution No. R-06-0114 (In the Matter of Adopting a Policy Governing the Expenditure of Public Funds for Payment or Reimbursement of Actual and Necessary Expenses Incurred by County Elected Officials, Appointed Officials, Employees and Volunteers) does not state receipts have to be itemized. Cyr said the itemized receipt requirement has created additional bookkeeping duties for departments and the County Clerk's Office and suggested that the policy be revised to limit daily reimbursement to \$30, without itemized receipts, and \$40, with itemized receipts.

- 2) PV 98709, \$51.89 for Travel Expenditures (County Sheriff's Office)
- 3) PV 98657, \$149.85 for Travel Expenditures (Corrections Department)

MOTION: Hudkins moved and Workman seconded to direct the County Attorney's Office to prepare a resolution for a Tuesday, County Board of Commissioners Meeting, changing the daily maximum amount to \$30, without itemized receipts, and \$40, with itemized receipts. Hudkins, Stevens, Schorr and Workman voted aye. Motion carried.

Tips were also discussed.

Cyr agreed to adjust the claim from the County Attorney's Office to limit the tips to 15%. He said the resolution can also be revised to state that tips cannot exceed 15%.

MOTION: Hudkins moved and Workman seconded to handle the claims through the regular claims process at the Tuesday, December 5, 2006 County Board of Commissioners Meeting, after the claims have been recalculated. Hudkins, Workman and Schorr voted aye. Stevens voted no. Motion carried.

Board consensus was to schedule additional discussion of the policy with Tim Genuchi, Accounting Operations Manager for the County Clerk's Office.

5) A) COUNTY SPECIAL PERMIT NO. 06066, SOIL EXTRACTION AT NORTH 56TH STREET AND WAVERLY ROAD; AND B) COUNTY SPECIAL PERMIT NO. 06059, WIRELESS FACILITY AT 176TH AND "O" STREETS - Mike DeKalb, Brian Will, and Sara Hartzell, Planners

A) County Special Permit No. 06066

Sara Hartzell, Planner, gave an overview of County Special Permit No. 06066, requested by Lyle Loth of ESP, on behalf of Willard D. Giebenrath, for authority to operate sand, gravel and soil excavation on a 153 acre site 1/4 mile east of North 56th Street/Highway 77 between Waverly Road and Mill Road (Exhibit C). She noted that the area to be disturbed is 97 acres and the property will be returned to farming when the excavation is completed. Testimony in opposition before the Planning Commission focused primarily on the following issues: 1) The outlot upon which the excavation is proposed, was to be preserved in the Agricultural (AG) community unit plan for farming; 2) Reclamation to growing crops and enforcement of that reclamation; 3) The existence of fiber optic cable in the area of excavation; 4) Access; 5) Dust emissions; and 6) Safety with the additional truck traffic on Waverly Road. There is a recommendation of conditional approval.

In response to a question from Workman, Hartzell agreed to check with the Lower Platte South Natural Resources District (NRD) before the public hearing to see if the erosion and sedimentation control plan has been reviewed.

Workman said concerns have also been expressed regarding damage to the road and asked whether there has ever been a situation where a bond was required.

Mike DeKalb, Planner, said yes, although the County has moved away from doing that. A condition was added to the special permit that states the applicant will be responsible for any maintenance and repairs required to either Mill or Waverly Roads due to the mining operations.

B) County Special Permit No. 06059

Brian Will, Planner, gave an overview of County Special Permit No. 06059, a request from US Cellular Wireless Communications for authority to construct a 199' tower for wireless facilities capable of accommodating at least four (4) carriers on property 1/4 mile north of the intersection of North 176th and "O" Streets (Exhibit D). He said there will be no lights on the tower and said law enforcement and emergency responders will be allowed to co-locate, at no cost, as a condition of approval. Will said one comment in opposition was received. It wasn't specifically related to the tower, rather to issues involving the carrier. There is a recommendation of conditional approval.

6) LINCOLN ELECTRIC SYSTEM (LES) EASEMENT THROUGH WILDERNESS PARK - Terry Genrich, Parks & Recreation Natural Resources Manager; Steve Hanks, Lincoln Electric System (LES)

Steve Hanks, Lincoln Electric System (LES), gave an overview of the request for Lancaster County to grant a permanent easement to allow LES to construct, operate and maintain underground electrical facilities in a portion of Wilderness Park (Exhibit E).

In response to a question from Schorr, Terry Genrich, Parks & Recreation Natural Resources Manager, said the Lincoln-Lancaster County Ecological Advisory Committee (EAC) was briefed and Mary Roseberry-Brown, President of Friends of Wilderness Park, was apprised of the easement location. No objections were voiced.

7) ADMINISTRATIVE OFFICER REPORT

A. Claims for Review:

- 1) PV 97043, \$346.85 for Travel Expenditures (County Attorney's Office)
- 2) PV 98709, \$51.89 for Travel Expenditures (County Sheriff's Office)
- 3) PV 98657, \$149.85 for Travel Expenditures (Corrections Department)

Item was moved forward on the agenda.

B. Exceptional Circumstance Award Update

Gwen Thorpe, Deputy Chief Administrative Officer, said Don Taute, Personnel Director, has advised her that a cap on the award amount would require amendment of the Personnel Rules.

The Chair confirmed that the Board wants to proceed in that manner.

C. Oath Ceremony (Tuesday, January 9, 2007)

Board consensus was to hold the oath ceremony at the beginning of the County Board of Commissioners Meeting on Tuesday, January 9, 2007.

D. Mid-Year Grant Updates

Board consensus was to request mid-year grant updates from Cathy Behrns, County Grants Coordinator, and Emergency Management.

- E. Meeting with Nebraska Department of Health and Human Services (HHS) Regarding Juvenile Detention Contract

Hudkins agreed to represent the County Board at the meeting.

- F. Juvenile Services Assessment

Eagan said Melissa Beecher is no longer serving as the Juvenile Justice Coordinator and Kit Boesch, Human Services Administrator, has suggested that the county contract with Dr. Hank Robinson, University of Nebraska at Omaha, Juvenile Justice Institute, for the juvenile services assessment.

Board consensus was to proceed with development of a contract with Dr. Robinson.

- G. Lincoln-Lancaster County Ecological Advisory Committee (EAC)
Acreage Reports

Board consensus was to allow the Lincoln-Lancaster County Ecological Advisory Committee (EAC) to provide the Planning Commission with acreage reports at the same time they are provided to the County Board.

ADDITIONS TO THE AGENDA

- A. Appointment of Dee Aguilar to the Lincoln Area Agency on Aging Advisory Council (Exhibit A)

Board consensus was to schedule the item on the December 5, 2006, County Board of Commissioners Meeting agenda.

8) DISCUSSION OF BOARD MEMBER MEETINGS

- A. Community Mental Health Center Advisory Committee - Stevens

Stevens indicated that the meeting was routine in nature.

- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Stevens

Stevens said discussion focused on: 1) The recommendation from the Mayor's Arena Task Force to move the Nebraska State Fair to the Lancaster Event Center campus at 84th Street and Havelock Avenue; and 2) The proposed premium Post Employment Health Plan (PEHP) for elected officials.

C. Downtown Lincoln Association (DLA) - Stevens

Stevens said the Vision 2015 Report was presented.

9) ADJOURNMENT

MOTION: Workman moved and Stevens seconded to adjourn the meeting at 11:56 a.m. Stevens, Workman, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk